

Race, Foster Care, and the Politics of Abandonment in New York City

David Rosner, PhD, MSPH, and Gerald Markowitz, PhD

ABSTRACT

Following the end of the Great Depression of the 1930s, the sectarian system of foster care services in New York City practiced open discrimination. African-American children were generally segregated in a small number of overcrowded and understaffed all-Black institutions. As the African-American migration to the city accelerated in the years following the outbreak of World War II, a small group of psychologists, jurists, philanthropists, and social workers began a systematic challenge to this system.

This paper explores the role of racism in shaping New York's foster care system and the experience of African-American children who were forced to depend on services originally organized to serve Whites. It also looks at the ways race affected the way children were typed—as mentally ill, delinquent, or even criminal—in response to the structural realities of a system that sorted children into separate types of institutions according to race. The paper also provides the background for understanding the landmark challenge to segregation of children in sectarian and public institutions represented by *Wilder v Sugarman*. (*Am J Public Health*. 1997; 87: 1844–1849)

Introduction

The headlines of the nation's newspapers, from New York to Washington to Los Angeles, relate the same story: foster care agencies are overwhelmed in trying to address the needs of minority children abandoned by their families and communities. The *New York Times* and the *Washington Post*, for example, tell of “horrors” in a “foster care system reeling with troubled children.” The nation's foster care system has been crippled by a flood of thousands of “emotionally traumatized children” who are “products of families ruined by crack, AIDS and homelessness.”¹ Most recently, the spread of the AIDS virus in minority communities has led public health authorities to expect more than 80 000 orphans, well over 50% of them African Americans, by the turn of the century, thereby making what was once a local problem a national policy concern.²

In the popular imagination, there are two competing images of the orphanage and the foster home. One, as represented in Charles Dickens' novels, portrays them as cruel, uncaring, and sterile. The other, most recently popularized by Newt Gingrich's invocation of “Boys Town” in support of his Family Responsibility Act, is of a benevolent, caring, and nurturing alternative to families split apart by the death of a parent, temporary incapacity, or economic necessity. Peculiarly absent from the political and historical debates are African-American children. Whatever the reality of the benefits or drawbacks of the orphanage and foster home systems themselves, the current crisis cannot be understood without examining the policies that have left African-American children at such risk today.³

Historically, the system of foster care and orphanage services has been strictly segregated by race and, to a lesser degree, religion. This has had severe public health and mental health consequences for the children served. First, as we discuss here, the tracking of children in the 1930s through the 1970s led professionals to conceive of and treat children in need in very different ways. White children were increasingly seen as in need of mental health services, generally in outpatient and private clinics and offices, while African-American children were denied necessary clinical care because they were seen as being in need of long-term placement, often in correctional institutions or reformatories. Second, segregation directly affected the quality of care in that African-American children were often “warehoused” for long periods of time in facilities that were unprepared for them. It is impossible not to see the devastating psychological impact of awaiting placements and adoptions that rarely came. Finally, there is evidence that segregation itself had important health consequences for minority children whose isolation and disempowerment left them vulnerable to mental health as well as physical problems. As the nation debates the future of welfare, the family, and care for children left orphaned by AIDS, drug abuse, and abandonment, it is important

David Rosner is with the School of Public Health and Department of History, Columbia University, New York City. Gerald Markowitz is with the Department of History, John Jay College, and Graduate Center, City University, New York City.

Requests for reprints should be sent to David Rosner, Program in History of Public Health and Medicine, Columbia School of Public Health, SMS, 100 Haven Ave, 17H, New York, NY 10032.

This paper was accepted August 6, 1997.

for historians to reflect on the role that segregation and racism played in shaping today's crises.⁴

Origins of the Crisis

The origins of the crisis in New York's system of care for dependent African-American children lay in the historic relationship between religious charitable institutions and the political leadership of the city. In the mid-19th century, Protestant and some Catholic charities were funded by the city to provide health and welfare services for poor and dependent children. By the Great Depression, Jewish and Catholic agencies had grown in importance as Eastern and Southern European Catholics and Jews made up a greater proportion of the city's poor. By law as well as custom, children who came before the city's children's, family, or domestic relations court were referred to founding hospitals, children's homes, and orphanages according to religion. With the exception of the public hospital system, which served sick children, there were no governmental services for dependent children except for those deemed delinquent, who could be sent to city and state prisons or reformatories.

The administrative origins of this bifurcated system lay in a late-19th-century law "prohibiting the care of children in public almshouses, and requiring that children committed as public charges be placed in institutions or foster homes of their own religious faith."⁵ By the Great Depression, it was understood that "New York City is unique and differs from most cities in the country because it does not maintain public institutions for the care of neglected and homeless children."⁶ The sectarian agencies controlled the care of dependent youth, developing foster homes, founding hospitals, shelters, and orphanages.

The sectarians' domination of the foster care system led to the de facto racial segregation of the city's dependent children. Through World War II, most of the children referred to the sectarian agencies were ethnic Whites who were dispersed among the variety of orphanages, foster homes, and child guidance clinics affiliated with the Jewish Board of Guardians, the Catholic Charities, and the Federation of Protestant Welfare Agencies. For the relatively small percentage of African-American children who were referred for placement, the choice was much narrower. Jewish and Catholic agencies were not required to even consider these predomi-

nantly Protestant African-American children, and the White Protestant agencies either excluded African Americans completely or had extremely limited quotas and relegated the chosen few to segregated eating and living accommodations. A scattering of institutions such as the Colored Orphan Asylum in Manhattan and the Howard Colored Orphan Asylum in Brooklyn were reserved for minority children, and these institutions were perpetually overcrowded.⁷

By the 1930s, the sectarian agencies were largely dependent on public funds for their support but were unresponsive to the changing needs of the public welfare system. "Public agencies frequently had to shop around among the private agencies to secure a placement, and sometimes were defeated in their efforts to place children . . . [because] 'the private agency has the authority to make the final decision as to acceptance.'"⁸ This legal arrangement between the city and the sectarian agencies left the city "at the mercy of what children these agencies would accept."⁹

Public authorities began to see that the system of private services was failing Black children. Between 1910 and 1930, the African-American population of Manhattan increased nearly tenfold from about 23 000 to 204 000.¹⁰ Between 1920 and 1930, the White population of New York increased by 21% while the Black population increased by 115%.¹¹ Despite this population growth, by 1940 "practically no new facilities or agencies [had] been established for Negro children."¹²

The few institutions available to Black children were segregated and generally overwhelmed by demand.¹³ This was not, as might be argued today, simply a matter of institutions being overwhelmed by an extraordinary demand for services. Rather, it was a systemic problem of racism in the entire social welfare community. As pointed out in one report, of the 28 000 neglected, dependent, destitute, and delinquent children for whom the city was responsible, only 8% were Black.¹⁴ While the public training schools for boys and girls run by New York State accepted delinquent children between 12 and 16 years of age regardless of color, no Protestant or Jewish agencies serviced older delinquent Black children. Catholic institutions likewise excluded Black children, except for the New York Catholic Protector, which accepted delinquent boys, and the House of the Good Shepherd for girls 16 to 21 years old.¹⁵

The Second World War and the African-American migration caused by the

mechanization of agriculture, along with the resultant weakening of sharecropping in the South, led to new and rapidly growing pressures on the foster care system of the city.¹⁶ Voluntary agencies refused to respond to African-American youth as they had responded to earlier European immigrant populations. Even though "the city contribute[d] more than \$1,000,000" to Protestant agencies, 18 Protestant and 2 nonsectarian institutions with space for 3200 neglected and delinquent children "refuse[d] to accept Negro children."¹⁷

The Response to Racism

The City-Wide Citizens' Committee on Harlem, an integrated advocacy group established at the beginning of World War II, saw that the segregation and discrimination practiced through the foster care system had a profound effect on children's public health and the quality of their lives. The committee was organized by Justine Wise Polier, daughter of the noted reform rabbi Stephen Wise and newly appointed as a justice on New York City's domestic relations court, and African-American civic leaders such as Adam Clayton Powell, Sr, Hubert Delany, and Jane Bolin. The committee pushed for a relatively radical solution to the racism of the system, urging that "the State Department of Social Welfare, the City of New York and the Greater New York Fund should refuse licenses and money to any charitable institutions that practice race discrimination." It drafted, advocated, and lobbied for the enactment of a "race discrimination amendment" to the Board of Estimate budget for fiscal year 1942/43 that would, after October 1, 1942, require that the comptroller of the city refuse to support charitable institutions that continued to discriminate on the basis of race. Private agencies could continue to use religion as a criterion for service. Catholic agencies were virtually exempted from provisions of the race discrimination amendment because the vast majority of the Black children were Protestants, and Catholic agencies had integrated in 1940.¹⁸ For the Jewish agencies, the race discrimination amendment "again meant little change . . . since there are almost no Negro Jewish children."¹⁹ The special protection offered to the Jewish and Catholic agencies aided in the amendment's relatively easy passage, by unanimous vote, on April 27, 1942.

The vast majority of African-American children were Protestants, but the response among most Protestant institutions was

token at best. Some of the Federation of Protestant Welfare agencies preferred to close rather than accept city funds and integrate their services.²⁰ In 1942, 9 of the 27 Protestant institutions refused to comply with the race discrimination amendment and were removed from the city list of those eligible to receive public subsidies.²¹ This led to the "withdrawal of facilities for about 600 committed White Protestant children."²² During the war, these institutions were able to secede from the city's system because of the unusual demands for placements created by the dislocations resulting from 12 years of depression and war. The institutions could count on replacing the city charges with large numbers of White children whose parents were capable of paying for all or part of their care.²³

The combination of the dislocation caused by World War II and the defiance of many Protestant welfare agencies led, in 1943, to a generalized sense of crisis within the mental health and social service community. Commissioner Leo Arnstein of New York City's welfare department noted that "the lack of institutional and boarding home facilities for the foster care of children in New York City has reached critical proportions . . . , especially in regard to the care of the Negro Protestant child, the dull child, the child with special behavioral difficulties, etc."²⁴ Many of the agencies rationalized their refusal to accept Black children by voicing fears regarding "the 'practical difficulties' of caring for Negro and White children in the same institution, particularly adolescent children . . . the dangers of sex offence and miscegenation were stressed and over-emphasized."²⁵

Labeling Children

As the lack of facilities for Black children became more and more pronounced, the labeling of children as neglected or delinquent had a dramatic effect on their placement. For White children, liberal jurists sought to avoid the label of delinquency because of the long-term consequences for future employment, army service, and self-image. Furthermore, avoidance of the label could generally assure the White child an appropriate placement in a sectarian foster care agency that would provide a supportive mental health program that was individualized and therapeutic.

The situation for Black children, however, was very different. With the resistance of the sectarian agencies to accepting these children, there were few options for placement. The children could be kept

for long periods of time in a "temporary" shelter, where they would receive limited treatment and attention. In shelters, there were generally few educational or recreational programs and little thought given to long-term therapeutic interventions aimed at addressing their individual needs. The only alternative to placement in a shelter was to declare the child a delinquent, thereby facilitating his or her removal to one of the state schools, where some treatment, however inadequate, might be better than none at all. Boys from those "institutions of intermediate class [designed] to handle the less serious offenders" had to be treated as dangerous delinquents in order to be sheltered at all. For adolescent girls charged with "sex incorrigibility," there was a similar lack of appropriate facilities.²⁶

The effect on children of the developing segregation and changing classifications of Black and White children was brought to public attention when, on October 6, 1943, a pillow fight broke out in the Manhattan Shelter of the Society for the Prevention of Cruelty to Children (SPCC). At about 10 PM, the benign roughhousing escalated into fighting, with about 60 children hurling furniture and, in the words of the *New York Times*, causing a "general wild disorder."²⁷ The resident custodians called the police to quell the disturbance.

The conditions in the shelter were Dickensian. An investigation headed by Judge Polier reported that the shelter's administrators would wrap the children's feet in cloth instead of providing shoes. Children were routinely punished by isolation in two dark basement rooms—one "a triangular room without a window or means of ventilation," the other with "cement walls and ceiling, a heavy door with a peephole, a small barred window"—for periods of a few hours to a few days. There was no furniture in these cells, children confined there overnight were provided with a mattress on the floor.²⁸

The result of the publicity regarding the Manhattan SPCC was the withdrawal of city funds to the shelter on April 1, 1944, and the development of alternative public programs by the city. Two days later, the city opened its "Youth House" for delinquent boys from Manhattan and Brooklyn, and the Brooklyn SPCC closed its services to boys. A year later, the city took over the old Manhattan SPCC facility on 105th Street, turning it into a public Children's Center for dependent and neglected children. Soon thereafter, the Brooklyn and Queens SPCC shelters closed.²⁹ As the temporary shelters closed,

demands on the state school system became so great that some closed admission, leading the city's domestic court to virtually stop functioning. "The situation now became truly deplorable," commented Bruce Cobb, the acting presiding justice. "It is futile to ask us to make other arrangements when none can be made. . . . Even if it were possible to send any boys to them, their detention would be indefinite. If sent to the City Prison, their stay would likewise be purposeless except as a temporary punitive measure."³⁰

The option of sending these children to prison came in 1942, when, in light of the serious overcrowding at the SPCC, New York City amended a law that had historically prevented judges from remanding children to city jails. In that year, the New York City Council permitted judges to remand children to city jails, in the words of Judge Cobb, "when necessary to secure the safety of the child or that of others or to prevent his escape."³¹ This law became the basis for the incarceration of children in the years following the disturbances at the SPCC, and these children "remained in the City Prison for weeks and months until there had accumulated as many as seventy at one time."³² As the shelters became overcrowded, "boys held so long often became discontented and turned into disciplinary problems leading to the transfer of some to the City Prison." Others in the shelters were remanded back to the courts by the shelters themselves, forcing the court either to send them to the city prison or to parole them. Despite the efforts to voluntarily transfer children out of the prison and into the reformatory, the Tombs (the city prison) was in danger of becoming an intrinsic part of the referral pattern to state schools.³³

Following the war and the revelations regarding Nazi concentration camps, the practice of routinely sending children to the city prison became repugnant, and the pressure increased to transfer the imprisoned children to state training schools. The pressure on the children's court to find placements increased through September 1945, when a state law prohibiting the use of the city prison for children became effective.³⁴

The Post-War Legacy of Discrimination

Between 1949 and 1955, the average number of children awaiting placement almost doubled, rising from 619 to 1196. Furthermore, the average number of chil-

dren who were unallocated—that is, not even accepted by an agency—grew by more than 150%, from 143 to 379. At the Children's Center on 105th Street, the situation was once again becoming "intolerable." The stated capacity was 323. But the average population of the center was 395 and had "gone as high as 410 in the past month [September 1955]." This was a "temporary shelter," and the children were not supposed to be there more than 90 days. But by 1955, 318 of the 395 children had been there for more than 6 months, 91 for more than a year, 12 for between 2 and 3 years, and 9 for more than 3 years. In addition to the long lengths of stay, the psychological damage done to the children who were supposed to be helped was profound: "Imagine what happens to the child who waits and waits in a shelter seeing other children leave with parents, foster parents or someone who seems to care for them." The Citizens' Committee for Children described the situation in the nursery as being the "most acute." On Labor Day 1955, "there were 140 children forced to sleep in 73 beds. Every crib has the sheets turned down at both ends. At best, the staff can only hope to separate some of the children with ringworm."³⁵ (By 1963, the situation had not improved despite threats by the commissioner of health to close the institution. There were still 94 children who had been there more than 1 year and up to 3.5 years. Of that number, 84, or 90%, were Black.)³⁶ James Dumpson, the city's first African-American welfare commissioner, reported on the continuing pressure the city was under as a result of the failures and discriminatory practices of the larger system. In mid-1957, for example, Dumpson reported that there were 1300 children awaiting placement in city shelters, of whom 770 were Protestant; of these Protestant children, 85% were Black. A few months later, Dumpson reported, the number of children in need of placement had risen to 1450, of whom 890 were Protestant; 87% of these latter children were Black. Despite this obvious need, the sectarian institutions still openly discriminated. "One institution, located outside of New York City has a capacity of 205 children," Dumpson remarked. "As of this spring [1957], 185 of the 205 children were public charges—that is, they were being supported in that institution by tax funds, public moneys of the City of New York or other counties. However, of these 185 children, only two were Negroes and three were Puerto Rican! And this has been the approximate ratio of non-white to white children in that institution over the years."³⁷

Structural Segregation

In the 1960s, as the civil rights movement made it unfashionable—as well as illegal—to discriminate on the basis of race, a complex set of mental health, behavioral, and psychological surrogates began to replace overt racial discrimination. Instead of refusing admission to Black children, some agencies began to define themselves as services for suburban and private referrals, while others transformed themselves from foster care to mental health facilities. "Some agencies are still unwilling to accept any New York City [children], some take only a few." As a result, the Citizens' Committee for Children concluded that "public services are almost exclusively confined to Negro children—apparently voluntary agencies manage to syphon off the White children, no matter what 'casework' reasons they give." But even those institutions that admitted Negro children were developing new, perhaps more pernicious admissions procedures that served to reinforce racial stereotyping and further isolate Black children. "It is generally acknowledged," pointed out the Citizens' Committee for Children, "that lighter Negro children move more quickly than the darker." Furthermore, it was clear that "the lighter the child, the more caucasian his features, the more readily he is placed."³⁸

During the 1950s and 1960s, a new form of segregation emerged with the suburban migration of large numbers of White working-class families. As White children moved to the suburbs and the economic prosperity and social stability of ethnic White families increased, they were less likely to enter services designed for dependent and neglected children. The vast majority of White children were defined as those in need of mental health services. Some foster care agencies moved from the central city to the outer boroughs and suburbs and transformed themselves into outpatient mental health clinics with a predominantly White clientele.³⁹

This fed the increased bifurcation of services as Black children migrated to or remained in central cities. The vast majority of dark-skinned African-American children were defined as delinquent or as having behavior problems and were placed in public institutions. Some children awaiting possible placement in the sectarian agencies languished in prison, as sectarian agencies engaged in long preplacement screening and selection processes. In 1966, Polier, in a confidential report to the New York City welfare commissioner, Mitchell

Ginsberg, detailed how the historical relationship between the city welfare bureaucracy and the voluntary agencies had been reinforced over the decades. She virtually accused the city of collusion with the sectarians in allowing skin shading to influence placements. The Bureau of Child Welfare was the agency responsible for placing children found by the family court to be neglected or in need of supervision. When a court probation officer requested temporary placement, Polier pointed out, the Bureau of Child Welfare had a legitimate right to request certain information about the child's birth date, sex, health, and address and the names of the child's parents. However, the bureau generally went far afield, in her opinion. "Information is also required on race and color. If the child is reported to be Negro or Puerto Rican, the probation officer is then asked whether the skin coloring is dark, medium or light, and at times, even whether the hair is straight or kinky." She reported on one child at St. Lukes Hospital who had been placed in a foster home on Long Island. "Subsequently the probation officer on the case was advised that because of the child's color and hair texture he could not remain in the boarding home and had been removed to a congregate institution."⁴⁰

From the point of view of some city officials, the city was providing the vast majority of its funds to voluntary agencies that were fundamentally altering traditional public health and mental health categories. These agencies wanted to retain absolute power over which public health services they would provide and to whom they would provide them.

The result is that rather than requiring services to meet the needs of the children, children must fit into the services the agencies have chosen to provide. Thus if there are no services for children labeled retarded, emotionally disturbed, aggressive, or with ring worms or a physical handicap, or over 12 or 14 years of age, the child falls through the cracks, remains in shelter or in make-shift home situations, or is shipped to unknown relatives in another state, and very often—though originally declared dependent—finally lands in a State Training School for delinquent children.⁴¹

By the early 1970s, despite the impact of the civil rights and "Black power" movements and New York's image as a progressive, liberal, enlightened community, the changing demography of the city, along with the resistance of the sectarian agencies to full integration, had led to a two-track system of services: Jewish and

Catholic children were assured services through the dominant voluntary agencies, but African-American children encountered numerous roadblocks to effective care at every turn. While more African-American children were accepted by the Jewish and Catholic agencies, most were warehoused in public institutions, some of which had developed as part of the corrections system. The mental health and social services provided through city institutions were often inadequate and of low quality to begin with. But these problems were accentuated by the special relationship between the city and sectarian leaders. Most voluntary agencies selected light-skinned African-American children over darker-skinned children; high-achieving children were chosen over children with lower IQs, and well-mannered children were selected over those with behavioral problems. The Joint Planning Service, a referral unit for the Jewish agencies, "always" asked about race as well as religion when children were referred for both long- and short-term placements.⁴²

In 1971, Polier continued to document the ways that Black children were discriminated against either overtly or covertly and the various informal mechanisms by which city workers participated in the process. Polier related an incident involving a 2-year-old child who had to be removed for temporary care.

I walked into my chambers adjoining the court where a transportation worker was speaking to Allocations. I heard her say, "He is a Negro, but he is a beautiful little boy. No, I can't say he is light skinned. He is dark skinned." She then reiterated, "But he is a beautiful little boy." At this point I took the telephone, and asked who was speaking, and was told that it was Miss Schwartz of the Allocations Unit. I told her that I was Judge Polier, and wanted to know by what right she was asking such questions in regard to emergency, temporary foster home care. I also told her that two years ago the Commissioner of Social Service . . . had agreed that this practice would stop, and that no questions would be asked concerning race or color. Her answer to me was that she was following regular procedure.⁴³

A particularly horrifying example of the importance of race in the selection process of children for long-term placement in foster homes and adoption was the case of New York Foundling Hospital, which, as late as 1974, sent foundlings of "indeterminate race" to the Museum of Natural History, where an anthropologist would inspect skull size, skin tone, and facial and other characteristics to determine race. As the administrator of New

York Foundling Hospital reported in 1976, "color determination" was a central concern of the hospital. "Very often we had children who had been abandoned children where we didn't have any information on the parent; and it would be necessary to have some kind of [racial] determination before placing the child."⁴⁴

By the early 1970s, the two-track system had left the public agencies in disarray. Behaviorally disturbed children, often with mental deficiencies, overwhelmed these underfunded and understaffed public facilities. Shelters were supposed to provide temporary placements of 60 to 90 days before children were "returned to the community," either through adoption or foster placement. In fact, some children were kept as long as 3 to 4 years.

Even within the sectarian sector, however, African-American children encountered the intransigence of a system that had developed around race and racism. Despite the fact that the selection of children guaranteed that the few African-American children were higher functioning, younger, and less disturbed than the majority of White children at these agencies, White children were still placed for adoption more frequently and more quickly than their African-American counterparts.

Certain ironies are inherent in the crisis that was to overtake the voluntary agencies and the city. First, from 1960 through 1971, the number of children in the foster care system expanded by almost 50%, from 18 267 to 26 514. During this time, the percentage of White children dropped from about 41% to just 23.5%, and the percentage of Black and Hispanic children rose from about 58% to more than 76%. The sectarian agencies, which in 1940 rarely had more than 2% of Black children in their institutions, now cared for almost 47% of African Americans in the system. From the perspective of the sectarian agencies, they had fully integrated their services and saw little basis for criticism. Yet, despite the ostensible integration of the sectarian agencies, the system still reflected the continuing legacy of the racial divisions that had been argued about for the course of the previous 3 decades. First, Black Protestant children "now comprised 83.2% of the public agency's caseload," even though 85.7% of all children "were in the care of the voluntary sector," while only 14.3% were under the care of the Bureau of Child Welfare.⁴⁵

Wilder v Sugarman

In the late 1960s, Justine Wise Polier visited Kenneth B. Clark, the eminent

African-American social psychologist, to discuss a matter that "had been [for her] . . . almost a personal crusade." Her concern was "the disparate treatment of minority group children in need of care," which was due, in her opinion, "to the claims of voluntary agencies that they may define and effect their responsibilities for such care as they wish, without any effective accountability" to the public.⁴⁶ Polier's discussion with Clark led to the well-known legal challenge to discrimination in the foster care system known as *Wilder v Sugarman*. Simply put, *Wilder* charged the city and voluntary agencies with collusion in the segregation of Black children in city-supported, but sectarian-controlled, institutions. The *Wilder* case dragged on through the courts until 1984, when the New York Civil Liberties Union, under the direction of Marcia Lowry, won a victory in which the city "agreed to place children with foster care agencies on a first-come, first-served basis, regardless of race or religion." In 1990, the Civil Liberties Union was forced to return to court when it became apparent that the city was not living up to the settlement. Rather, the new form of discrimination was based on an informal system of distributing children to the foster care agencies according to "gradations of skin color and hair texture."⁴⁷

Today we have lurid stories of the breakdown of the foster care system and sensational exposés of troubled African-American youth, but no attention is paid to the ways in which race and racism have shaped city public health and social service institutions. The racism of the foster care system certainly is not the only cause of the social breakdown that has destroyed the lives of many African-American youth. Nor is it the only cause of the growing racial antagonism that affects the quality of life in major American cities. Yet, this history of segregation and abandonment of African-American children in the postwar years by major institutions points to a much broader responsibility than is often acknowledged. While a variety of mental health services were made available to White children, African-American children were often denied these same services. Instead, they were placed in shelters or other facilities for long periods of time with inadequate or nonexistent educational or recreational programs, much less psychological services. Forced into state-run reformatories or correctional institutions as a way to get even minimal social service or mental health assistance, African-American youth were increasingly viewed and dealt with as having fundamentally different

problems than troubled White youth had. The role that the sectarian agencies played in developing and perpetuating this system should give us pause when we hear calls for the return of the voluntary or religiously affiliated orphanage as a reasonable alternative to welfare. □

Endnotes

1. "D.C. Foster Care Workers Tell of Horrors," *Washington Post*, 12 February 1991, A1; "Foster Care System Reeling," *New York Times*, 21 September 1990, A1; "Troubled Children Flood Ill-Prepared Foster Care System," *New York Times*, 8 September 1992, A1.
2. See, for example, David Handelman, "The New Lost Generation, Children of AIDS Patients," *Vogue*, April 1993, 378–383; "Orphaned by AIDS," *Psychology Today*, May/June 1993, 18; Mary Farrell, Cynthia Sanz, and Susan Reed, "Life after Death, Mothers with AIDS Worry about the Fate of Their Children," *People Weekly*, 12 July 1993, 32–39; William M. Welch, "Gingrich: 'Boys Town' Proves Point," *USA Today*, 5 December 1994, 1; "First Lady Assails Orphanage Plan," *New York Times*, 1 December 1994, 28.
3. See, for important discussions of the history of children and social welfare policies, Linda Gordon, *Pitied but Not Entitled: Single Mothers and the History of Welfare* (Cambridge, Mass.: Harvard University Press, 1995); Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, Mass.: Harvard University Press, 1992); Michael Katz, *Improving Poor People: The Welfare State, The "Underclass," and Urban Schools as History* (Princeton, N.J.: Princeton University Press, 1995); David and Sheila Rothman, *The Willowbrook Wars* (New York, N.Y.: Basic Books, 1984); Anthony Platt, *The Child Savers: The Invention of Delinquency* (Chicago, Ill.: University of Chicago Press, 1969); and Robert Bremner, *From the Depths: The Discovery of Poverty in the United States* (New York, N.Y.: New York University Press, 1956), among others.
4. See, for examples, T. A. LaVeist, "Segregation, Poverty and Empowerment: Health Consequences for African-Americans," *Milbank Quarterly* 71(1993):41–64; A. P. Polednek "Poverty, Residential Segregation, and Black/White Mortality Ratios in Urban Areas," *Journal of Health Care for the Poor and Underserved* 4 (1993):363–373.
5. New York City Department of Welfare, Summary of the Report on Need and Facilities for Foster Care of Children in New York [n.d., circa 1949], Citizens' Committee for Children (hereafter CCC) Manuscripts, New York.
6. William Hodson, Address, Annual Luncheon Conference of the Welfare Council's Section on Dependent Children, 3 March 1936, Polier Manuscripts, carton 2, "Discrimination and Segregation: Racial and Religious, 1936–74."
7. "The Placement of Negro Children by Protestant Child-Caring Agencies, 1940–1951," 8 January 1952, Polier Manuscripts, carton 2, "Discrimination and Segregation."
8. Justine Wise Polier, Memorandum, 11 January 1940, Polier Manuscripts, carton 2, "Racial Discrimination—1938–1949." Polier was quoting from an article by James Hubert that had appeared in *Social Work Today* in 1937.
9. Justine Wise Polier, Report of the Child Welfare Commission, Union for Democratic Action, 1946, CCC Manuscripts: Mental Health File.
10. Robert Fogelson and Richard E. Rubinstein, eds., *The Complete Report of Mayor LaGuardia's Commission on the Harlem Riot of March 19, 1935* (New York: ARNO Press and *New York Times*, 1969). Anthony M. Platt, in *E. Franklin Frazier Reconsidered*, (New Brunswick, N.J.: Rutgers University Press, 1991), 246, footnote 10, explains that this report was originally authored by E. Franklin Frazier.
11. Frazier, *The Complete Report*, 63.
12. Justine Wise Polier, Memorandum, 11 January 1940, Polier Manuscripts, carton 2, "Racial Discrimination."
13. Committee on Institutions, Domestic Relations Court of the City of New York, "Manual of Institution Facilities," July 1939, Polier Manuscripts, carton 2, "Family Court."
14. Justine Wise Polier, Memorandum to the Mayor, 19 July 1938, Polier Manuscripts, carton 2, "Discrimination and Segregation." See also Joint Committee on Negro Child Study, New York City, 1927.
15. Polier, Memorandum to the Mayor. See also Joint Committee on Negro Child Study.
16. City-Wide Citizens' Committee on Harlem, Tentative Report of the Sub-Committee on Crime and Delinquency, 8 June 1942, Polier Manuscripts, box 36, folder 443; see also "Race Bias Seen Key to Harlem Crime," *New York Times*, 2 August 1942.
17. City-Wide Citizens' Committee on Harlem, Suggested Summary of Highlights of Crime and Delinquency Committee's Report, 1942, Bernard Manuscripts, Racism box.
18. Gerald Markowitz and David Rosner, *Children, Race and Power: Kenneth and Mamie Clark's Northside Center* (Charlottesville, Va.: 1996); City-Wide Committee on Harlem, Suggested Summary. Mimeo.
19. Crystal M. Potter, "The Institutional Care of Negro Children in New York City" (paper delivered at the National Conference of Social Work, Buffalo, N.Y., May 1946).
20. "Inmates of Five Welfare Institutions to Be Removed Because of Commissioner Hodson's Race Bias Charges," *New York Times*, 30 October 1942, 21.
21. New York City Department of Welfare, Summary of the Report.
22. Potter, "Institutional Care."
23. Ibid.
24. Commissioner Leo Arnstein to Mayor LaGuardia, 26 August 1943, quoted in Leonard V. Harrison, "Facilities for the Care of Dependent and Neglected Children in New York City," 26 November 1945, CCC Manuscripts.
25. Potter, "Institutional Care."
26. City-Wide Citizens' Committee on Harlem, Tentative Report.
27. "11 Boys Are Jailed in S.P.C.C. Outbreak," *New York Times*, 8 October 1943, 21.
28. "The 'Black Book' of Children's Punishment," *PM*, 23 January 1944, 12.
29. "Temporary Care of Children in New York City," 1 February 1948, CCC Manuscripts.
30. W. Bruce Cobb, Acting Presiding Justice, to Robert T. Lansdale, New York State Commissioner of Social Welfare, 24 November 1943, Polier Manuscripts, box 26, folder 331.
31. W. Bruce Cobb, Memorandum on Shelter Detention Pending Final Court Disposition or Transfer to Institution of Commitment from the Children's Court, 4 June 1945, Polier Manuscripts, box 25, folder 305.
32. Ibid.
33. Ibid.
34. Polier, Report of the Child Welfare Commission.
35. CCC, "The Urgent Need for Public Foster-Care Facilities," 4 October 1955, Kenneth B. Clark Manuscripts, Manuscript Division, Library of Congress.
36. CCC, Draft Memorandum on Discrimination and Child Care Service in New York City, 3 September 1963, Polier Manuscripts, carton 2, "Discrimination and Segregation."
37. James R. Dumpson, "Discrimination in Welfare Service with Special Reference to Child Welfare," in Algernon D. Black, Kenneth Clark, and James R. Dumpson, *Ethical Frontiers, The City's Children and the Challenge of Racial Discrimination* (New York: Society for Ethical Culture, 1958), 24–25.
38. CCC, Draft Memorandum on Discrimination.
39. For example, the Pride of Judea, a foster care service, was originally located in a predominantly Jewish neighborhood in Brooklyn. When the neighborhood became increasingly African American, the Pride reorganized as a psychoanalytically oriented mental health outpatient clinic and moved to a predominantly White, wealthy community on the New York City–Nassau County border.
40. Polier to Mitchell Ginsberg, 17 March 1966, Polier Manuscripts, box 41, folder 494.
41. CCC, Draft Memorandum on Discrimination.
42. Plaintiff's Exhibit 241, Deposition of Marie Laufer, 21 November 1973, 19 (1.2), 20 (1.18), United States District Court, Southern District of New York, *Wilder v. Sugarman*.
43. Justine Wise Polier to Julie Sugarman, 6 July 1971, Polier Manuscripts, carton 1, "Discrimination" folder.
44. Plaintiff's Exhibit 254, Deposition of the New York Foundling Hospital by Sister Marian Cecilia Schneider, 8 July 1976, 33, United States District Court, Southern District of New York, *Wilder v. Sugarman*.
45. Project "C," Draft, August 1972, Polier Manuscripts, box 26, folder 325.
46. Project Plan Paper for MARC Staff Study and Recommendations on "The Disposition of Minority Group Children in Need of Placement and/or Services by Public and Private Agencies in New York City," Kenneth Clark Manuscripts, box 20, Manuscripts Division, Library of Congress.
47. "Foster Placement by Skin Shade Is Charged," *New York Times*, 18 January 1990, B1.